

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Miriam Lynch	Team: Squad #9	CCRB Case #: 201702427	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Thursday, 03/23/2017 9:30 PM, Sunday, 08/20/2017	Location of Incident: in front of § 87(2)(b) the 68th Precinct Stationhouse	Precinct: 68	18 Mo. SOL 9/23/2018	EO SOL 9/23/2018	
Date/Time CV Reported Thu, 03/23/2017 11:25 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 03/29/2017 11:09 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Mobeen Yasin	02492	948285	068 PCT
2. POM Hassan Gheith	07404	938557	068 PCT
3. Officers			
4. POM Alexander Caruso	09320	956497	068 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Juan Guzman	02942	943338	068 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Hassan Gheith	Abuse: On March 23, 2017, Police Officer Hassan Gheith stopped § 87(2)(b) in front of § 87(2)(b) in Brooklyn.	§ 87(2)(b)
B.POM Hassan Gheith	Abuse: On March 23, 2017, Police Officer Hassan Gheith stopped § 87(2)(b) in front of § 87(2)(b) in Brooklyn.	§ 87(2)(b)
C.POM Hassan Gheith	Abuse: On March 23, 2017, Police Officer Hassan Gheith stopped § 87(2)(b) in front of § 87(2)(b) in Brooklyn.	§ 87(2)(b)
D.SGT Mobeen Yasin	Abuse: On March 23, 2017, Sergeant Mobeen Yasin authorized the strip search of § 87(2)(b) inside of the 68th Precinct stationhouse in Brooklyn.	§ 87(2)(b)
E.POM Hassan Gheith	Abuse: On March 23, 2017, Police Officer Hassan Gheith strip-searched § 87(2)(b) in the 68th Precinct stationhouse in Brooklyn.	§ 87(2)(b)
F.SGT Mobeen Yasin	Abuse: On March 23, 2017, Sergeant Mobeen Yasin authorized the strip search of § 87(2)(b) inside of the 68th Precinct stationhouse in Brooklyn.	§ 87(2)(b)

Officer(s)	Allegation	Investigator Recommendation
G.POM Hassan Gheith	Abuse: On March 23, 2017, Police Officer Hassan Gheith strip-searched § 87(2)(b) Abdulla inside of the 68th Precinct stationhouse in Brooklyn.	
H.POM Hassan Gheith	Force: On March 23, 2017, Police Officer Hassan Gheith used physical force against § 87(2)(b) inside of the 68th Precinct in Brooklyn.	
I.POM Alexander Caruso	Force: On March 23, 2017, Police Officer Alexander Caruso used physical force against § 87(2)(b) inside of the 68th Precinct stationhouse in Brooklyn.	
J.SGT Mobeen Yasin	Abuse: On March 23, 2017, Sergeant Mobeen Yasin threatened § 87(2)(b) with the use of force inside of the 68th Precinct stationhouse in Brooklyn.	
K.POM Hassan Gheith	Force: On March 23, 2017, Police Officer Hassan Gheith used physical force against § 87(2)(b) inside of the 68th Precinct stationhouse in Brooklyn.	
L. Officers	Force: Officers used physical force against § 87(2)(b)	
M.POM Hassan Gheith	Discourtesy: On March 23, 2017, Police Officer Hassan Gheith spoke discourteously to § 87(2)(b) Abdulla inside of the 68th Precinct stationhouse in Brooklyn.	
N.POM Hassan Gheith	Off. Language: On March 23, 2017, Police Officer Hassan Gheith made remarks to § 87(2)(b) Abdulla based upon race inside of the 68th Precinct stationhouse in Brooklyn.	
O.POM Hassan Gheith	Abuse: On March 23, 2017, Police Officer Hassan Gheith did not obtain medical treatment for § 87(2)(b) inside of the 68th Precinct stationhouse in Brooklyn.	
P.POM Hassan Gheith	Abuse: On August 20, 2017, Police Officer Hassan Gheith threatened to arrest § 87(2)(b) in front of § 87(2)(b) in Brooklyn.	

Case Summary

On March 23, 2017, at approximately 9:30 p.m. in front of § 87(2)(b) in Brooklyn, PO Hassan Gheith of the 68th Precinct stopped and arrested § 87(2)(b) and § 87(2)(b) for smoking a marijuana cigar on their front stoop (**Allegations A, B, and C**). He then transported them to the 68th Precinct stationhouse, where Sgt. Mobeen Yasin, also of the 68th Precinct, authorized PO Gheith to conduct a strip search of § 87(2)(b) and § 87(2)(b) (**Allegations D, E, F, and G**). The strip search of § 87(2)(b) yielded 65 oxycodone pills, nine methadone pills, 21 alprozolam pills, and three glassine envelopes of heroin. The strip search of § 87(2)(b) yielded 52 alprozolam pills and 26 partial alprozolam pills.

During the strip search of § 87(2)(b) PO Gheith also PO Alexander Caruso, also of the 68th Precinct, allegedly punched and kicked him (**Allegations H and I**). Sgt. Yasin threatened to use a Taser against § 87(2)(b) (**Allegation J**). Also present was PO Juan Guzman of the 68th Precinct.

During the strip search of § 87(2)(b) PO Gheith and unidentified officers allegedly punched him (**Allegation K and L**). After the strip-search, he allegedly told § 87(2)(b) to, “get fucking dressed” (**Allegation M**) and he called § 87(2)(b) a “lying A-rab” (**Allegation N**). When § 87(2)(b) requested to go to the hospital, PO Gheith allegedly delayed calling an ambulance by several hours (**Allegation O**).

As a result of this incident, § 87(2)(b) was charged with criminal possession of a controlled substance, tampering with evidence, public alcohol consumption, and obstructing governmental administration. § 87(2)(b) was charged with criminal possession of a controlled substance and public alcohol consumption. § 87(2)(b) was charged with criminal possession of a controlled substance and public alcohol consumption (Board Review 2).

On August 20, 2017, at approximately 9:00 p.m. PO Gheith allegedly drove past § 87(2)(b) in Brooklyn and asked § 87(2)(b) if she wanted to be arrested (**Allegation P**).

This case was initially reported to IAB—and subsequently to the CCRB—by Sgt. Yasin, because § 87(2)(b) sustained a laceration to the back of his head that required one stitch. § 87(2)(b) was not cooperative with this initial complaint, and it was closed. On July 24, 2017, the CCRB received a letter from § 87(2)(b) a previously-unknown victim in this case. This case was reopened, and was closed in a period greater than 90 days for the following reasons. § 87(2)(b)'s attorney needed to be contacted several times before he was interviewed; she advised him not to participate, but permitted him to do so. § 87(2)(b) missed several interviews before coming to the CCRB. § 87(2)(b) an individual who was in the holding cells, also did not call the CCRB until after he received several letters. As a result of § 87(2)(b)'s late participation, PO Gheith was interviewed a second time, about the incident on the second date.

No video footage was available for either incident date.

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation due to § 87(2)(b) s and § 87(2)(b) s arrests, and because as a result of this incident, § 87(2)(b) sustained a laceration to the back of his head that required one staple.
- § 87(2)(b)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- § 87(2)(b)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- § 87(2)(b)
[REDACTED]
- On August 29, 2017, a FOIL request for a notice of claim was submitted to the New York City Office of the Comptroller. No response was received; consequently, a follow-up request was submitted on November 14, 2017 (Board Review 22).

Civilian and Officer CCRB Histories

- This is the first CCRB complaint involving § 87(2)(b) or § 87(2)(b) (Board Reviews 3, 4, and 5).
- Sgt. Yasin has been a member of service for eight years. He has had five prior complaints filed against him, with a total of 12 allegations. None of these allegations has been closed as substantiated. § 87(2)(b)
[REDACTED] (Board Review 6).
 - § 87(2)(g) [REDACTED]
- PO Gheith has been a member of service for 12 years. He has had three prior complaints, with six allegations, filed against him. None of these allegations has been substantiated (Board Review 6).
 - § 87(2)(g) [REDACTED]
- PO Caruso has been a member of service for three years. This is the first CCRB complaint filed against him (Board Review 6).

Potential Issues

- § 87(2)(b) did not cooperate with the investigation, and a statement was not taken from him.

Findings and Recommendations

Allegation A—Abuse of Authority: On March 23, 2017, Police Officer Hassan Gheith stopped § 87(2)(b) in front of § 87(2)(b) in Brooklyn.

Allegation B—Abuse of Authority: On March 23, 2017, Police Officer Hassan Gheith stopped § 87(2)(b) in front of § 87(2)(b) in Brooklyn.

Allegation C—Abuse of Authority: On March 23, 2017, Police Officer Hassan Gheith stopped § 87(2)(b) in front of § 87(2)(b) in Brooklyn.

It is undisputed that when PO Gheith initially approached § 87(2)(b) and § 87(2)(b) and § 87(2)(b) were sharing a marijuana cigar on the front steps of § 87(2)(b) in Brooklyn. It is undisputed that § 87(2)(b) and § 87(2)(b) were drinking alcohol as well.

§ 87(2)(b) and § 87(2)(b) stated that they had been on the front stoop for 15 to 20 minutes. § 87(2)(b) and § 87(2)(b) were passing a marijuana cigar back and forth between the two of them in that time. § 87(2)(b) and § 87(2)(b) were also drinking beer or hard cider at the time. Both § 87(2)(b) and § 87(2)(b) stated that there was no fence separating the front steps of the residence from the sidewalk (Board Reviews 7 and 8)

PO Gheith stated that he was sent to § 87(2)(b) by Sgt. Yasin, who stated that there had been a drug complaint at the location. Once he arrived, he witnessed § 87(2)(b) with the marijuana cigar, and that he was able to tell that it was marijuana by the odor (Board Review 9).

Patrol Guide Procedure 209-38 permits officers to arrest all people in a group observed with a burning marijuana cigarette in public view for criminal possession of marijuana in the fifth degree (Board Review 10).

It is undisputed that § 87(2)(b) and § 87(2)(b) were smoking a marijuana cigar in front of § 87(2)(b) and it is undisputed that PO Gheith observed both of them do so. It is also undisputed that even if she did not partake of the cigar, § 87(2)(b) was a part of this group. § 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Allegation D-Abuse of Authority: On March 23, 2017, Sergeant Mobeen Yasin authorized the strip search of § 87(2)(b) at the 68th Precinct stationhouse in Brooklyn.

Allegation E-Abuse of Authority: On March 23, 2017, Police Officer Hassan Gheith strip-searched § 87(2)(b) at the 68th Precinct stationhouse in Brooklyn.

It is undisputed that after § 87(2)(b) was stopped for marijuana use in public view, he was searched both at the scene of the arrest, and at the front desk of the 68th Precinct stationhouse. It is undisputed that no contraband, aside from the marijuana cigar that he and § 87(2)(b) had been smoking, was recovered from any party taken into custody. It is undisputed that Sgt. Yasin authorized PO Gheith to strip-search § 87(2)(b) § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b) and § 87(2)(b) stated that at no time in the presence of officers did § 87(2)(b) shift anything around on his person (Board Reviews 7 and 8).

PO Gheith also stated that he did not see § 87(2)(b) shift anything around on his person while he was being taken to the stationhouse. He did not remember whom he assisted in transporting to the precinct stationhouse. He stated no officer informed him at any time that § 87(2)(b) had done so. The initial idea to strip-search § 87(2)(b) according to PO Gheith, originated when Sgt. Yasin saw that § 87(2)(b) had been taken into custody. PO Gheith stated that he did not have any part in this decision, but as far as he was able to tell, Sgt. Yasin decided to strip-search § 87(2)(b) because he was a recidivist for the possession and sale of marijuana and heroin (Board Review 9).

Sgt. Yasin confirmed that § 87(2)(b)'s arrest history was a factor in his decision to authorize the strip search, and that he is one of the most prolific sellers of heroin, pills, and marijuana in the 68th Precinct. He stated, however, that he made the decision after PO Gheith asked him for permission to do so, and that the decision was not made of his own initiative. § 87(2)(b)

§ 87(2)(e), § 87(2)(f)

PO Gheith informing him that both had been moving suspiciously while they were being driven back to the stationhouse. Sgt. Yasin could not remember if PO Gheith had related to him his own observations, or if they had come from another officer. § 87(2)(e), § 87(2)(f)

. Sgt. Yasin included in the explanation of his reasoning that he personally observed § 87(2)(b) walking with an unusual gait, in a “waddling” motion as he entered the stationhouse. He also stated that he saw § 87(2)(b) moving his hands behind his back, though he did not remember seeing them under § 87(2)(b)'s clothing. He stated that § 87(2)(b) was verbally agitated, and that in his experience, vociferousness on the part of prisoners sometimes signals the intent to evade further searches that might reveal contraband (Board Review 12).

PO Caruso corroborated that § 87(2)(b) was upset and uncooperative. He was not able to corroborate any of the other factors that Sgt. Yasin or PO Gheith described. He was unable to say which of the prisoners he transported to the stationhouse (Board Review 13).

Per Patrol Guide Procedure 208-05, officers must have reasonable suspicion that an individual is concealing contraband on their person in order to conduct a strip search. Per the procedure, the nature of the crime, the history of the individual, any unaccounted positive detection of metal by a magnetometer, results of prior searches, and any information regarding individuals arrested with the defendant may be considered (Board Review 14).

§ 87(2)(b), § 87(2)(g), § 87(2)(e), § 87(2)(f)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Allegation F: On March 23, 2017, Sergeant Mobeen Yasin authorized the strip-search of § 87(2)(b) in the 68th Precinct stationhouse in Brooklyn.

Allegation G: On March 23, 2017, Police Officer Hassan Gheith strip-searched § 87(2)(b) in the 68th Precinct stationhouse in Brooklyn.

It is undisputed that § 87(2)(b) was searched at the scene of the arrest and at the stationhouse, and that no contraband was recovered as a result of either of these searches. It is undisputed that after he was brought to the 68th Precinct stationhouse, Sgt. Yasin authorized a strip search, which PO Gheith then performed.

As with § 87(2)(b) and § 87(2)(b) denied that § 87(2)(b) made any motions to shift any items around on his person (Board Reviews 7 and 8).

PO Gheith stated that he may have transported § 87(2)(b) from the scene of the arrest to the stationhouse, but he was not entirely sure that he did so. He did not remember any visual indicia that § 87(2)(b) was concealing contraband. He stated that he may have been moving back and forth in the vehicle that was used to transport him back to the 68th Precinct stationhouse, or that another officer may have told him so. When he arrived at the stationhouse, Sgt. Yasin directed him to conduct a strip search of § 87(2)(b) (Board Review 9).

Sgt. Yasin confirmed that he authorized the strip search of § 87(2)(b) but the suggestion of the strip search came of PO Gheith's initiative. § 87(2)(b), § 87(2)(e), § 87(2)(f)

§ 87(2)(b). Sgt. Yasin also stated that § 87(2)(b) was "waddling" in the same way that § 87(2)(b) was, and that PO Gheith told him that he had either observed, or that he had been informed that another officer saw § 87(2)(b) make motions indicative of concealing contraband. He also mentioned that he was arrested with § 87(2)(b) who was a known drug dealer in the precinct, though he mentioned no similar history for § 87(2)(b). Sgt. Yasin also stated that he was asking for expedited processing, though in a quieter way than § 87(2)(b) (Board Review 12).

Neither PO Caruso nor PO Guzman stated that they saw § 87(2)(b) making any movements that suggested that he was hiding contraband. PO Guzman stated that when § 87(2)(b) first arrived at the precinct stationhouse, he was quiet and calm (Board Review 13 and 15).

Patrol Guide Procedure 208-05 stipulates that officers have reasonable suspicion that an individual is hiding contraband on their person in order to strip-search them. It further notes that factors such as the subject's criminal history, crime for which they were arrested, violent nature if any, information regarding the person they were searched with, or prior searches can be used to comprise reasonable suspicion (Board Review 14).

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Allegation H: On March 23, 2017, Police Officer Hassan Gheith used physical force against § 87(2)(b) at the 68th Precinct stationhouse in Brooklyn.

Allegation I: On March 23, 2017, Police Officer Alexander Caruso used physical force against § 87(2)(b) at the 68th Precinct stationhouse in Brooklyn.

It is undisputed that § 87(2)(b) offered physical resistance to being strip-searched. It is undisputed that after a packet of narcotics fell from § 87(2)(b)'s underwear, he attempted to ingest or destroy them. It is undisputed that PO Gheith, PO Caruso, and PO Guzman used physical force against § 87(2)(b). It is undisputed that after § 87(2)(b) was strip-searched, he sustained a laceration to the back of his head that required stitches. § 87(2)(g)

§ 87(2)(b) stated that he was able to see the entirety of § 87(2)(b)'s strip search. During the search, something fell from § 87(2)(b)'s underwear, and he tried to grab it and place it in his mouth. He stated that PO Gheith pushed § 87(2)(b) to the ground, and then punched him with a closed fist on the top of his head 10 to 15 times. He also stated that PO Gheith kicked § 87(2)(b) in the head 10 to 15 times. He also kicked § 87(2)(b) in the ribs seven to 10 times, and punched him in the ribs 10 to 15 times. He stated that PO Caruso kicked § 87(2)(b) in the ribs three times and in the head five times. He was not able to ascribe any specific force allegations to any officer who matched the physical description of PO Guzman, who was also involved in taking § 87(2)(b) into custody (Board Review 7).

Neither § 87(2)(b) nor § 87(2)(b) another prisoner in the holding cell, was able to see what force was used against § 87(2)(b) but both confirmed that he was bleeding from his head when he emerged from the bathroom, after being strip-searched. § 87(2)(b) heard § 87(2)(b) yelling, and § 87(2)(b) stated over the phone that he heard the sound of a body being hit (Board Reviews 8 and 16).

All of the officers interviewed denied that any officer present punched or kicked § 87(2)(b). They stated that all of the cells in the stationhouse are on the same side of the wall, and no prisoner can see into the restroom where § 87(2)(b) was strip-searched (Board Reviews 9, 12, 13, and 15). PO Gheith and PO Caruso stated that they took § 87(2)(b) to the ground, and that he rolled around and kicked on the ground. They also stated that he attempted to throw the item that fell from his underwear into the toilet (Board Reviews 9 and 13). All of the officers interviewed stated that the only force used against him involved grabbing and pulling his arms, and keeping his legs from kicking the officers.

No strikes, either punches or kicks, are listed on the TRI reports completed for this incident (Board Review 17). The Medical Treatment of Prisoner Report lists the laceration § 87(2)(b) sustained, but no other injuries (Board Review 18).

§ 87(2)(b), § 87(2)(g)

Allegation J: On March 23, 2017, Sergeant Mobeen Yasin threatened to use a conducted electrical weapon on § 87(2)(b) at the 68th Precinct stationhouse in Brooklyn.

It is undisputed that Sgt. Yasin told § 87(2)(b) that he would use a Taser against him if he did not stop offering the officers physical resistance. It is undisputed that § 87(2)(b) was actively resisting the officers at the time.

§ 87(2)(b) stated that Sgt. Yasin made this statement while § 87(2)(b) was on the ground, after the item had fallen out of his underwear, after § 87(2)(b) tried to destroy the item that was in his underwear, and he was struggling physically with the officers (Board Review 7).

PO Gheith confirmed that Sgt. Yasin said that he would Taser § 87(2)(b) (Board Review 9). Sgt. Yasin stated that he made this statement after his and the other officers' requests for § 87(2)(b) to comply with the strip search had been unsuccessful, and § 87(2)(b) continued to move his arms back and forth to resist the officers (Board Review 12).

Patrol Guide Procedure 221-06 lists pulling away and tensing as a form of active resistance (Board Review 19). Patrol Guide Procedure 221-08 limits the use of conducted electrical weapons to subjects who exhibit active resistance, and not passive resistance (Board Review 20).

§ 87(2)(b), § 87(2)(g)

Allegation K: On March 23, 2017, Police Officer Hassan Gheith used physical force against § 87(2)(b) at the 68th Precinct stationhouse in Brooklyn.

Allegation L: On March 23, 2017, Officers used physical force against § 87(2)(b) at the 68th Precinct in Brooklyn.

Allegation M: On March 23, 2017, Police Officer Hassan Gheith spoke discourteously to § 87(2)(b) at the 68th Precinct stationhouse in Brooklyn.

Allegation N: On March 23, 2017, Police Officer Hassan Gheith made remarks to § 87(2)(b) on the basis of race at the 68th Precinct stationhouse in Brooklyn.

It is undisputed that § 87(2)(b) was strip-searched after § 87(2)(b) in the same bathroom. Whether PO Gheith and other officers used force against him, whether he spoke discourteously to him, and whether he made remarks based on § 87(2)(b)'s race, however, are all in dispute.

§ 87(2)(b) stated that when he was being strip-searched, PO Gheith pushed him back, and punched him at least three separate times. He stated that other officers were punching him as well, but he did not see who they were. He stated that after the strip search, PO Gheith called him a lying "A-rab," and told him to "get fucking dressed." He stated that he went to the hospital several hours after he was strip-searched, but that he did not receive any treatment for any injury related to the punches, and instead received treatment for a psychiatric crisis (Board Review 7).

§ 87(2)(b) did not see the strip search of § 87(2)(b) but she stated that she could hear yelling while it was happening. She stated that after he emerged from the restroom from the strip search, he was wearing a tank top, and there was redness on his chest, back, and shoulders on the parts that the shirt exposed. She confirmed that officers called § 87(2)(b) a "stupid A-rab," but could not say who these officers were. She did not hear any officer using profanity against § 87(2)(b) (Board Review 8).

§ 87(2)(b) stated over the phone that he did not see or hear anything suggestive of force during § 87(2)(b)'s strip search. He stated, after being asked directly that an officer called § 87(2)(b) an "A-rab," but stated that the officer who did so was in uniform. PO Gheith was dressed in plainclothes on the date of the incident. He did not hear any profanity (Board Review 16).

All of the officers interviewed stated that § 87(2)(b) was compliant during his strip search, and that no officer touched him during the strip search. All of the officers denied the use of force, profanity, and anti-Arab remarks (Board Reviews 9, 12, 13, and 15).

§ 87(2)(b), § 87(2)(g)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Allegation O: On March 23, 2017, Police Officer Hassan Gheith refused to provide medical attention to § 87(2)(b) at the 68th Precinct in Brooklyn.

§ 87(2)(b), § 87(2)(g)
[REDACTED]
[REDACTED]

§ 87(2)(b) stated that he requested to go to the hospital because he was undergoing a psychiatric crisis as a result of his previously-diagnosed bipolar disorder, and that he did not have access to medication. By his account, PO Gheith gave him a tablet to stave off opiate withdrawal, from which he was not suffering, and postponed taking him to the hospital for three or four hours (Board Review 7).

PO Gheith confirmed that he believed that § 87(2)(b) was in withdrawal from opiates, but denied that there was any delay in his removal to the hospital (Board Review 9).

The command log from the date of the incident records § 87(2)(b) as arriving at the 68th Precinct stationhouse at 10:10 p.m. It also lists the time when § 87(2)(b) was taken to the hospital: 11:10 p.m. that evening (Board Review 11). Per this log, he was in the stationhouse for an hour total, which also included the time that all three prisoners were searched at the desk, that § 87(2)(b) was strip-searched, and the time that § 87(2)(b) was strip-searched.

The command log is a contemporaneous record of when prisoners enter and leave the stationhouse, and it favors PO Gheith's account, that there was no delay in taking § 87(2)(b) to the hospital. In addition, § 87(2)(b)'s recollection could reasonably have been impaired by his admitted alcohol and marijuana use.

§ 87(2)(b), § 87(2)(g)

Allegation P: On August 20, 2017, Police Officer Hassan Gheith threatened to arrest § 87(2)(b) in front of § 87(2)(b) in Brooklyn.

§ 87(2)(b), § 87(2)(g)

In her phone statement, § 87(2)(b) stated that she saw PO Gheith in a car that was driving past § 87(2)(b) where she was smoking a cigarette. He asked her if she had anything on her, and if she wanted to go to the precinct (Board Review 21). During her in-person interview, she did not reiterate the question allegation, and she only confirmed that he threatened to arrest her after she was directly questioned regarding the allegation. § 87(2)(b) stated that at the time she was called, she had just come back from § 87(2)(b), and the stress may have affected her recollection (Board Review 8). She was not able to describe the officer who was with PO Gheith at the time, in the driver's seat of the car.

PO Gheith denied having any interaction with § 87(2)(b) after March 23, 2017, and he stated that he did not threaten to arrest her at any time (Board Review 22).

PO Gheith's memo book indicated that he was on a Regular Day Off on the date that § 87(2)(b) alleged that he threatened to arrest her. There is no other documentary evidence available to the investigation. Given that § 87(2)(b) provided a date on which it was impossible that the incident could have occurred, and her admitted lapse in memory, the investigation credits PO Gheith, in that he did not have an interaction with § 87(2)(b) on that date.

§ 87(2)(b), § 87(2)(g)

Squad #9

Investigator:	_____	_____	_____
	Signature	Print	Date
Squad Leader:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date